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August 2, 2013

BY EMAIL (Failla_NYSDChambers@nysd.uscourts.gov)

Honorable Katherine Polk Failla
United States District Judge
United States Courthouse
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

USDC SDNY
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Re: Varsity Spirit Corporation v. Horizon Group
USA, Inc., Michaels Stores, Inc., et al.
Civil Action No. 12 Civ. 07463 (KPF)

Dear Judge Failla:

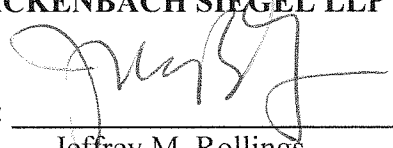
This firm represents defendants Horizon Group USA, Inc. and Michaels Stores, Inc. in the above-referenced matter currently pending before this Court. We write at the request, and with the consent of plaintiff Varsity Spirit Corporation, to advise the Court that the parties are finalizing a settlement of this case.

Counsel are currently finishing small language details and exhibits in order to complete and circulate execution drafts of the settlement agreement. Lead counsel for defendants also recently suffered a death in his immediate family, and for several days has not been able to assist in finishing the settlement which has delayed the process somewhat. In view of all of the above, we are writing to request a two (2) week adjournment of the conference before Your Honor currently scheduled for Tuesday, August 6, 2013, in order to complete the settlement.

The parties have not previously sought to adjourn this conference. Counsel will promptly notify the Court when the agreement has been completely executed, which may take a few days after the final settlement documents are circulated.

Very truly yours,

LACKENBACH SIEGEL LLP

By: 
Jeffrey M. Rollings

cc: Arlana S. Cohen, Esq.
Counsel for Varsity Spirit Corporation